



# Instructions for Firms

## Applying for Certification to Conduct Lead-Based Paint Activities

CERTIFICATION LETTER (CONTINUED)

Before you mail your application, check to make sure that you have:

- ☐ Filled out all sections of the application.
- ☐ Signed \_\_\_\_\_

Firm Approved OMB No. 2070-0155 Expires 11/30/99

### APPLICATION FOR FIRMS TO CONDUCT LEAD-BASED PAINT ACTIVITIES

U.S. ENVIRONMENTAL PROTECTION AGENCY

Important: This Certification Letter will serve as a firm's application to EPA for certification to perform lead-based paint activities. Consult the Instructions for Firms Applying for Certification to Conduct Lead-Based Paint Activities and the official requirements reprinted there to complete this form. Individuals should use the Application for Individuals instead of this form. Please type or print responses in black or blue ink only.

Official Use Only

For information on EPA and other lead programs, see the web site: <http://www.epa.gov/lead/>

#### A. Type(s) of Certified Individuals Employed

Select one of the following. Also select the appropriate discipline(s) below.

- ☐ Certification application
- ☐ Replacement of a lost certificate
- ☐ Certification renewal

Indicate the type(s) of certified individuals the firm intends to employ (check one to five boxes).

- ☐ Inspector
- ☐ Supervisor
- ☐ Risk Assessor
- ☐ Project Designer
- ☐ Abatement Worker

#### B. Applicant Information

Name of Firm: \_\_\_\_\_

Business Address: \_\_\_\_\_  
Street Address, Suite No. (Phase, no P.O. Box) \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_  
Mailing Address: \_\_\_\_\_  
Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_  
Name of Attesting Individual: \_\_\_\_\_ Last \_\_\_\_\_ First \_\_\_\_\_ Middle \_\_\_\_\_ Title \_\_\_\_\_  
Firm's Phone: ( ) \_\_\_\_\_ ext. \_\_\_\_\_ Attesting Individual's Phone: ( ) \_\_\_\_\_ ext. \_\_\_\_\_

#### C. Professional Certifications

Does the firm hold current permits, licenses, certifications, or registrations in the lead-based paint activity field in any area or region?

If yes, please fill in the following blanks, one line for each permit, license, certification, or registration held. Attach additional sheets of paper if necessary. For more information, refer to the instructions and the official requirements (40 CFR § 745.226(f)) reprinted there.

Discipline in which certification held	Area/Region (Dist. State, Territory or Indian Tribe name)	Certification/Identification Number	Date received
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EPA Form 7470-07 (Rev. 2/99)

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## Instructions for Firms Applying for Certification to Conduct Lead-Based Paint Activities

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Your firm may apply to the U.S. Environmental Protection Agency (EPA) to be certified to conduct lead-based paint activities. The two sections of this booklet will guide you through the *Application for Firms to Conduct Lead-Based Paint Activities* and tell you what to expect through the certification process after you have submitted your application.

Once your firm is certified, its certified employees will be able to conduct lead-based paint activities in States, Tribal Lands, and U.S. Territories where EPA implements the lead-based paint certification program. If EPA does not administer the certification program in an area or region where you wish to work, you will need to apply directly to that State, Tribal Land, or Territory for certification. You can call 1-800-424-LEAD to find out whether you should apply to EPA for certification.

You may submit your application any time beginning March 1, 1999. After August 30, 1999, only certified firms will be able to conduct lead-based paint activities in target housing and/or child-occupied facilities.

If you would like more information on EPA and other lead programs or if you have questions about the application process that are not answered in this booklet, see the web site: <http://www.epa.gov/lead/>, call the application assistance Help Line at 1-800-424-LEAD, or see the applicable portion of 40 *Code of Federal Regulations* §745.226 (40 CFR §745.226), which are reprinted beginning on page 4 of this booklet.

## The Application Form

To apply for certification, your firm must submit to EPA a letter attesting that the firm will employ only appropriately certified individuals to conduct lead-based paint activities. The letter also must attest that the firm and its employees will follow the work practice standards for lead-based paint activities in 40 CFR §745.227. EPA has developed the *Application for Firms to Conduct Lead-Based Paint Activities* to serve as a firm's certification letter.

You should use the *Application for Firms to Conduct Lead-Based Paint Activities* to apply for your firm's certification or replacement of your firm's lost certificate. While much of the form is easy to understand, these instructions will help you complete the form and avoid mistakes that could delay EPA's review of the application.

### I. Applying for Certification

#### A. Type(s) of Certified Individuals Employed

When applying for firm certification, check the box next to Certification application (shown here). You also need to check the box(es) next to the discipline(s) in which your employees are or will be certified.

#### B. Applicant Information

In this section, provide your firm's business address, which is required and must not be a post office box. Also list another mailing address if your firm receives mail elsewhere.

#### A. Type(s) of Certified Individuals Employed

Select one of the following. Also select the appropriate discipline(s) below.

- ☐ Certification application
- ☐ Replacement of a lost certificate
- ☐ Certification renewal

Indicate the type(s) of certified individuals the firm intends to employ (*check one to five boxes*):

- ☐ Inspector    ☐ Risk Assessor    ☐ Abatement Worker
- ☐ Supervisor    ☐ Project Designer

### C. Professional Certifications

This section, shown below, asks for information about your firm's certifications in the lead-based paint activity field. Please identify each permit, license, certification, or registration. Attach additional sheets of paper to your application if your firm holds more than six professional certifications.

Does the firm hold current permits, licenses, certifications, or registrations in the lead-based paint activity field in any area or region?    Yes    No <small>(circle one)</small>			
If <b>yes</b> , please fill in the following blanks, one line for each permit, license, certification, or registration held. Attach additional sheets of paper if necessary. For more information, refer to the instructions and the official requirements (40 CFR § 745.226(f)) reprinted there.			
Discipline in which certification held	Area/Region (list State, Territory, or Indian Tribe name)	Certification/Identification Number	Date received
Discipline in which certification held	Area/Region (list State, Territory, or Indian Tribe name)	Certification/Identification Number	Date received

### D. Lead-Based Paint Activity Violations

If your firm has any past, present, or pending lead-based paint activity violations, you must include a written explanation of the violation(s) with your application, regardless of where or when the violation(s) occurred.

### E. Areas/Regions

EPA can certify you to conduct lead-based paint activities in States, Tribal Lands, and U.S. Territories where EPA implements the lead-based paint certification program. If EPA does not administer the certification program in an area or region where you wish to work, you will need to apply directly to that State, Tribal Land, or Territory for certification. You can call 1-800-424-LEAD to find out whether you should apply to EPA for certification.

In this section, list all the areas or regions in which you plan to perform lead-based paint activities, including only the States, Tribal lands, and Territories with EPA administered programs. See the **FEE SHEET** for the appropriate fees if you intend to work in more than one area or region.

### F. Certification Statement

You must complete the blanks in the certification statement, read the Privacy Act Statement and the subsequent statement, and sign and date the application.

The checklist following your signature will help you make sure your application package is complete. In particular, be sure to sign and date the application form, and enclose the appropriate certification fees. The **FEE SHEET**, which was included with your application form, specifies the fee that you must send to EPA with your application.

### II. Replacement of a Lost Certificate

To replace a lost certificate of approval, you need to fill out a new *Application for Firms to Conduct Lead-Based Paint Activities*. Complete only sections **A. Type(s) of Certified Individuals Employed**, **B. Applicant Information** and **F. Certification Statement**. Sign and date the application.

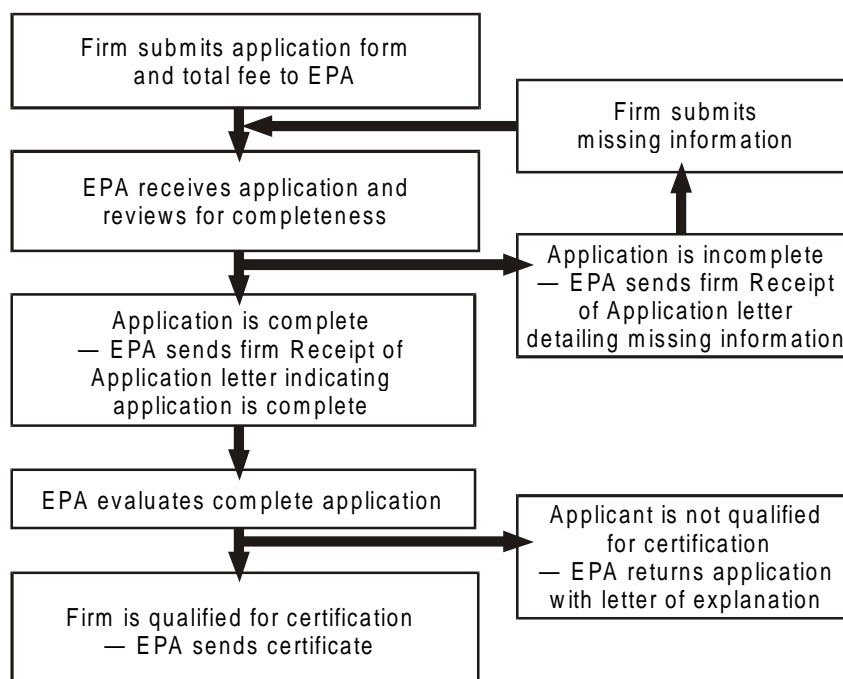
The **FEE SHEET**, which was included with your application form, lists the fee for replacing a lost certificate. Send your signed application and the appropriate fee to EPA at the address printed on the application form.

## The Certification Process

This flow chart depicts the certification process. After receiving your firm's application, EPA will send you a letter to tell you whether it is complete or incomplete. If the application is incomplete, the letter will list the missing information. You must submit any missing information within 30 days, as will be specified in the letter. Otherwise, EPA will return your firm's application package on the 31st day.

EPA will approve or disapprove a complete request for certification within 90 days. Once your application has been approved, EPA will send a certificate of approval. Your firm will receive a letter of explanation if EPA decides to disapprove your firm's application.

### The Certification Process



**Paperwork Reduction Act Notice:** The annual public burden for this collection of information is estimated to be 7.5 hours for firms, including the time needed for reading the instructions and completing the necessary information contained in this form. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing the burden to: Director, OPPE Regulatory Information Division, U.S. Environmental Protection Agency (Mail Code 2137), 401 M Street, S.W., Washington, DC 20460. Include OMB number 2070-0155 in any correspondence. Do not send the completed form or requested information to this address. The actual information or form should be submitted in accordance with the instructions accompanying the form, or as specified in the corresponding regulations.

40 CFR Part 745

Lead; Requirements for Lead-Based Paint Activities in Target Housing and Child-Occupied Facilities

**§ 745.226 Certification of individuals and firms engaged in lead-based paint activities: target housing and child-occupied facilities.**

**(f) Certification of firms.** (1) All firms which perform or offer to perform any of the lead-based paint activities described in § 745.227 after August 30, 1999 shall be certified by EPA.

(2) A firm seeking certification shall submit to EPA a letter attesting that the firm shall only employ appropriately certified employees to conduct lead-based paint activities, and that the firm and its employees shall follow the work practice standards in § 745.227 for conducting lead-based paint activities.

(3) From the date of receiving the firm's letter requesting certification, EPA shall have 90 days to approve or disapprove the firm's request for certification. Within that time, EPA shall respond with either a certificate of approval or a letter describing the reasons for a disapproval.

(4) The firm shall maintain all records pursuant to the requirements in § 745.227.

(5) Firms may first apply to EPA for certification to engage in lead-based paint activities pursuant to this section on or after March 1, 1999.

(h) Suspension, revocation, and modification of certifications of firms engaged in lead-based paint activities.

(1) EPA may, after notice and opportunity for hearing, suspend, revoke, or modify a firm's certification if a firm has:

(i) Performed work requiring certification at a job site with individuals who are not certified.

(ii) Failed to comply with the work practice standards established in § 745.227.

(iii) Misrepresented facts in its letter of application for certification to EPA.

(iv) Failed to maintain required records.

(v) Failed to comply with Federal, State, or local lead-based paint statutes or regulations.

(2) In addition to an administrative or judicial finding of violation, for purposes of this section only, execution of a consent agreement in settlement of an enforcement action constitutes evidence of a failure to comply with relevant statutes or regulations.

(i) Procedures for suspension, revocation, or modification of the certification of individuals or firms.

(1) If EPA decides to suspend, revoke, or modify the certification of any individual or firm, it shall notify the affected entity in writing of the following:

(i) The legal and factual basis for the suspension, revocation, or modification.

(ii) The commencement date and duration of the suspension, revocation, or modification.

(iii) Actions, if any, which the affected entity may take to avoid suspension, revocation, or modification or to receive certification in the future.

(iv) The opportunity and method for requesting a hearing prior to final EPA action to suspend, revoke, or modify certification.

(v) Any additional information, as appropriate, which EPA may provide.

(2) If a hearing is requested by the certified individual or firm, EPA shall:

(i) Provide the affected entity an opportunity to offer written statements in response to EPA's assertion of the legal and factual basis and any other explanations, comments, and arguments it deems relevant to the proposed action.

(ii) Provide the affected entity such other procedural opportunities as EPA may deem appropriate to ensure a fair and impartial hearing.

(iii) Appoint an official of EPA as Presiding Officer to conduct the hearing. No person shall serve as Presiding Officer if he or she has had any prior connection with the specific matter.

(3) The Presiding Officer shall:

(i) Conduct a fair, orderly, and impartial hearing within 90 days of the request for a hearing;

(ii) Consider all relevant evidence, explanation, comment, and argument submitted; and

(iii) Notify the affected entity in writing within 90 days of completion of the hearing of his or her decision and order. Such an order is a final EPA action subject to judicial review.

(4) If EPA determines that the public health, interest, or welfare warrants immediate action to suspend the certification of any individual or firm prior to the opportunity for a hearing, it shall:

(i) Notify the affected entity of its intent to immediately suspend certification for the reasons listed in paragraph (h)(1) of this section. If a suspension, revocation, or modification notice has not previously been issued, it shall be issued at the same time the immediate suspension notice is issued.

(ii) Notify the affected entity in writing of the grounds upon which the immediate suspension is based and why it is necessary to suspend the entity's accreditation before an opportunity for a hearing to suspend, revoke, or modify the individual's or firm's certification.

(iii) Notify the affected entity of the commencement date and duration of the immediate suspension.

(iv) Notify the affected entity of its right to request a hearing on the immediate suspension within 15 days of the suspension taking place and the procedures for the conduct of such a hearing.

(5) Any notice, decision, or order issued by EPA under this section, transcript or other verbatim record of oral testimony, and any documents filed by a certified individual or firm in a hearing under this section shall be available to the public, except as otherwise provided by section 14 of TSCA or by part 2 of this title. Any such hearing at which oral testimony is presented shall be open to the public, except that the Presiding Officer may exclude the public to the extent necessary to allow presentation of information which may be entitled to confidential treatment under section 14 of TSCA or part 2 of this title.